

Appl. No.: 09/578,001
Amdt. Dated: April 27, 2007
Reply of Office action of: December 27, 2006

Docket No. ROWL-9955

AMENDMENTS TO THE CLAIMS

Please cancel claims 208, 210, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256 and 258 as indicated among the following complete set of pending claims:

Claims 1-86. (Canceled)

COUNT 1 - (Product -Prepaints and Paint Composition)

Claims 87-88. (Canceled)

Claim 89. (Previously presented) A plurality of varied, but stable premixed aqueous compositions, sufficient to form a variety of paint compositions, which plurality comprises:

- (i) at least one premixed pigment composition comprising a pigment;
- (ii) at least one premixed low resin composition comprising at least one of calcined clay, diatomaceous earth, ground limestone, and mixtures thereof; and
- (iii) at least one premixed binder composition comprising a resinous binder.

Claims 90-91. (Canceled)

Claim 92. (Previously presented) The plurality of premixed compositions of claim 89, wherein the number of premixed compositions is 3 or more.

Claims 93-100. (Canceled)

Claim 101. (Previously presented) The plurality of premixed compositions of claim 89, wherein at least one of the premixed compositions has a PVC of about 35% to about 100%.

Claims 102-103. (Canceled)

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Claim 104. (Previously presented) A plurality of paint products produced by a process which comprises the steps of:

- (a) providing a plurality of varied, but stable premixed aqueous compositions which plurality comprises:
 - (i) at least one premixed pigment composition comprising a pigment;
 - (ii) at least one premixed low resin composition comprising at least one of calcined clay, diatomaceous earth ground limestone, and mixtures thereof;
 - (iii) at least one premixed binder composition comprising a resinous binder; and
- (b) dispensing a predetermined amount of each of the premixed compositions into containers to form a paint product of the plurality of paint products.

Claims 105-106. (Canceled)

Claim 107. (Previously presented) A plurality of different but stable premixed aqueous compositions sufficient to formulate a plurality of paint products useful for forming pigmented coatings, which plurality of premixed compositions comprises:

- (i) at least one premixed composition having a pigment;
- (ii) at least two premixed compositions each of which comprises at least one resin containing binder.

Claims 108-109. (Canceled)

Claim 110. (Previously presented) A method of forming a plurality of paint products, which method comprises the steps of:

- (a) providing a plurality of the premixed compositions of claim 107; and
- (b) dispensing a predetermined amount of each of the premixed compositions into containers to form the plurality of paint products.

COUNT 2 (Method of Producing a Paint Line)

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Claims 111-112. (Canceled)

Claim 113. (Previously presented) A method of forming a plurality of paint products comprising the steps of:

- (a) providing a plurality of varied, but stable premixed aqueous compositions comprising:
 - (i) at least one premixed pigment composition comprising a pigment;
 - (ii) at least one premixed low resin composition, comprising at least one of calcined clay, diatomaceous earth, ground limestone, and mixtures thereof;
 - (iii) at least one premixed binder composition comprising a resin containing binder; and
- (b) dispensing a predetermined amount of each of the premixed compositions into containers to form the plurality of paint products.

Claims 114-115. (Canceled)

Claim 116. (Previously presented) The method of claim 113, further comprising the step of mixing the premixed compositions before, while, or after they are dispensed into the containers.

Claims 117-118. (Canceled)

Claim 119. (Previously presented) The method of claim 113, further comprising the step of mixing the premixed compositions before or while they are dispensed into the containers.

Claims 120-121. (Canceled)

Claim 122. (Previously presented) The method of claim 113, further comprising the step of adjusting the viscosity of the premixed compositions before, while, or after they are

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dispensed into the containers.

Claims 123-124. (Canceled)

Claim 125. (Previously presented) The method of claim 113, further comprising the step of adjusting the viscosity of the premixed compositions before or while they are dispensed into the containers.

Claims 126-127. (Canceled)

Claim 128. (previously presented) The method of claim 113, further comprising the step of adding at least one additive that enhances application or final performance of the paint products.

Claims 129-130. (Canceled)

Claim 131. (previously presented) The method of claim 128, wherein the additive is a thickener.

Claims 132-133. (Canceled)

Claim 134. (Previously presented) The method of claim 113, further comprising the step of adding at least one colorant to the premixed compositions.

Claims 135—142. (Canceled)

Claim 143. (Previously presented) The method of claim 113, wherein the method is carried out at a paint manufacturing facility.

Claims 144- 145. (Canceled)

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Claim 146. (Previously presented) The method of claim 113, wherein the number of premixed compositions is 4 or more.

Claims 147-148. (Canceled)

Claim 149. (Previously presented) The method of forming a plurality of paint products of claim 113, wherein at least one of the premixed compositions has a PVC of about 35% to about 100%.

Claims 150-151. (Canceled)

Claim 152. (Previously presented) The method of claim 113, wherein the method is carried out at the point-of-sale.

Claims 153-154. (Canceled)

Claim 155. (Previously presented) The method of claim 113, wherein the method is carried out at the point-of-use.

Claim 156-157. (Canceled)

Claim 158. (Previously presented) The method of claim 113, wherein the method is controlled by programmed dispensing.

Claims 159-160. (Canceled)

Claim 161. (Previously presented) A method of forming a range of paint products, the range comprising variations in the plurality of the paint products:

(a) providing a plurality of varied, but stable premixed aqueous compositions sufficient to formulate the plurality of varied paint products, which plurality of premixed aqueous compositions comprises:

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- (i) at least one premixed pigment composition comprising a pigment;
 - (ii) at least one premixed low resin composition comprising at least one of calcined clay, diatomaceous earth, ground limestone, and mixtures thereof;
 - (iii) at least one premixed binder composition comprising a resin containing binder; and
 - (iv) at least one additional, different premixed pigment, low resin, or high resin composition selected from the group consisting of (i), (ii), and (iii) and mixtures thereof; and
- (b) dispensing a predetermined amount of each of the premixed compositions into containers to form the plurality of paint products.

Claims 162-163. (Canceled)

Claim 164. (Previously presented) The method of claim 161, further comprising the step of mixing the premixed compositions before, while, or after they are dispensed into the containers.

Claims 165-166. (Canceled)

Claim 167. (Previously presented) The method of claim 161, further comprising the step of mixing the premixed compositions before or while they are dispensed into the containers.

Claims 168-169. (Canceled)

Claim 170. (Previously presented) The method of claim 161, further comprising the step of adjusting the viscosity of the premixed compositions before, while, or after they are dispensed into the containers.

Claims 171-172. (Canceled)

Claim 173. (Previously presented) The method of claim 161, further comprising the step of

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adjusting the viscosity of the premixed compositions before or while they are dispensed into the containers.

Claims 174-175. (Canceled)

Claim 176. (Previously presented) The method of claim 161, further comprising the step of adding at least one additive that enhances application or final performance of the paint products.

Claims 177-178. (Canceled)

Claim 179. (Previously presented) The method of claim 176, wherein the additive is a thickener.

Claims 180-181. (Canceled)

Claim 182. (Previously presented) The method of claim 161, further comprising the step of adding at least one colorant to the premixed compositions.

Claims 183-190. (Canceled)

Claims 191. (Previously presented) The method of claim 161, wherein the method is carried out at a paint manufacturing facility.

Claims 192-193. (Canceled)

Claim 194. (Previously presented) The method of claim 161, wherein the number of premixed compositions is 4 or more.

Claims 195-196. (Canceled)

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Claim 197. (Previously presented) The method of forming a plurality of paint products of claim 161, wherein at least one of the premixed compositions has a PVC of about 35% to about 100%.

Claims 198-199. (Canceled)

Claim 200. (Previously presented) The method of claim 161, wherein the method is carried out at the point-of-sale.

Claims 201-202. (Canceled)

Claim 203. (Previously presented) The method of claim 161, wherein the method is carried out at the point-of-use.

Claims 204-205. (Canceled)

Claim 206. (Previously presented) The method of claim 161, wherein the method is controlled by programmed dispensing.

COUNT 3 (A Pigmented Prepaint Composition)

Claim 207. – 211. (Canceled)

Claim 212. (Previously presented) The premixed pigment composition of claim 208, wherein the pigment comprises titanium dioxide.

Claim 213.- 258. (Canceled)

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COUNT 4 (A Pigment Extender Prepaint Composition)

Claim 259. (Canceled)

Claim 260. (Previously presented) A premixed aqueous low resin composition, useful for producing a pigmented paint product containing other paint contents, which premixed low resin composition consists essentially of:

- (i) at least one of calcined clay, ground limestone, and diatomaceous earth, the premixed low resin composition having a Stormer viscosity of about 50 to about 250 KU;
- (ii) at least one thickener,
- (iii) water, and
- (iv) an optional resin containing binder; wherein the premixed low resin composition contents are stable when combined with each other and with the contents of the paint product.

COUNT 1 - (Product -Prepaints and Paint Composition)

Claim 261. (Previously presented) A plurality of premixed aqueous compositions for forming an aqueous paint composition, the plurality of compositions comprising:
a premixed pigment composition comprising a pigment;
a premixed low resin composition comprising at least one of calcined clay, ground limestone, diatomaceous earth, and mixtures thereof and
a premixed binder composition comprising a resin;
wherein mixing a portion of the pigment composition with a portion of at least one of the low resin composition and the binder composition produces the aqueous paint composition from the premixed compositions.

Claim 262. (Previously presented) The plurality of premixed aqueous compositions of claim 261, wherein the number of premixed compositions is 3 or more.

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Claim 263-264. (Canceled)

Claim 265. (Previously presented) The plurality of premixed aqueous compositions of claim 261, wherein the premixed low resin composition has a PVC of about 35% to about 100%.

Claim 266. (Previously presented) A plurality of paint products made by a method comprising:

providing a plurality of varied, but stable premixed aqueous compositions, which plurality comprises:

a premixed pigment composition comprising a pigment;

a premixed low resin composition comprising at least one of calcined clay, ground limestone, diatomaceous earth, and mixtures thereof;

a premixed binder composition comprising a resin; and

mixing a portion of the pigment composition with a portion of at least one of the low resin composition and the binder composition to produce the plurality of paint products from the premixed compositions.

Claim 267. (Previously presented) A plurality of varied, but stable, premixed aqueous compositions for formulating a plurality of paint products, the plurality of premixed aqueous paint compositions comprising:

a premixed pigment composition comprising a pigment;

at least two premixed compositions each of which comprises a resin.

Claim 268. (Previously presented) A method of forming a plurality of paint products, which method comprises the steps of:

(a) providing a plurality of the premixed compositions of claim 267; and

(b) dispensing a portion of the premixed pigment composition and a portion of at least one of each of the at least two premixed compositions each having the resin into containers to form the plurality of paint products.

COUNT 2 (Method of Producing a Paint Line)

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Claim 269. (Previously presented) A method of producing a plurality of paint products, the method comprising:

premixing a pigment composition comprising a pigment;

premixing a low resin composition comprising at least one of calcined clay, diatomaceous earth, ground limestone, and mixtures thereof;

premixing a binder composition comprising a resin; and

mixing a portion of the pigment composition with a portion of at least one of the low resin composition and the binder composition in a container to produce an aqueous paint product of the plurality of paint products from the premixed compositions.

Claim 270. (Previously presented) The method of claim 269, further comprising the step of mixing the premixed compositions before, while, or after they are dispensed into the containers.

Claim 271. (Previously presented) The method of claim 269, further comprising the step of mixing the premixed compositions before or while they are dispensed into the containers.

Claim 272. (Previously presented) The method of claim 269, further comprising the step of adjusting the viscosity of the premixed compositions before, while, or after they are dispensed into the containers.

Claim 273. (Previously presented) The method of claim 269, further comprising the step of adjusting the viscosity of the premixed compositions before or while they are dispensed into the containers.

Claim 274. (Previously presented) The method of claim 269, further comprising the step of

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adding at least one additive that enhances application or final performance of the aqueous paint product.

Claim 275. (Previously presented) The method of claim 274, wherein the additive is a thickener.

Claim 276. (Previously presented) The method of claim 269, further comprising the step of adding at least one colorant to the premixed compositions.

Claim 277-278. (Canceled)

Claim 279. (Previously presented) The method of claim 269, wherein the method is carried out at a paint manufacturing facility.

Claim 280. (Previously presented) The method of claim 269, wherein the number of premixed compositions is 4 or more.

Claim 281. (Previously presented) The method of claim 269, wherein the low resin composition has a PVC of about 35% to about 100%.

Claim 282. (Previously presented) The method of claim 269, wherein the method is carried out at the point-of-sale.

Claim 283. (Previously presented) The method of claim 269, wherein the method is carried out at the point-of-use.

Claim 284. (Previously presented) The method of claim 269, wherein the method is controlled in accordance with programmed dispensing.

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Claim 285. (Previously presented) A method of producing a plurality of paint products and variations of the plurality of paint products, the method comprising:

(a) providing a plurality of varied, but stable premixed aqueous compositions for producing the plurality of paint products and the variations of the plurality of paint products, which plurality of premixed aqueous compositions comprises:

- (i) a premixed pigment composition comprising a pigment;
- (ii) a premixed low resin composition comprising at least one of calcined clay, diatomaceous earth, ground limestone, and mixtures thereof;
- (iii) a premixed binder composition comprising a resin; and
- (iv) an additional different premixed composition from the group consisting of the compositions of (i), (ii), and (iii), and mixtures thereof and

(b) mixing a portion of the pigment composition with a portion of at least one of the low resin composition, the binder composition, and the additional different composition in a container to produce the variations of the plurality of paint products.

Claims 286-300 (canceled).

COUNT 3 (A Pigmented Prepaint Composition)

Claim 301-306. (Canceled)

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Claim 307. (Previously presented) A plurality of varied, but stable premixed aqueous compositions useful for formulating a paint product, which plurality comprises:

(a) a premixed aqueous pigment composition for forming a paint product, the premixed composition comprising:

a pigment;

a dispersant.

a thickener; and

water;

wherein the dispersant and the thickener are stable when mixed with the pigment and with other paint contents and

(b) a premixed binder composition, which binder composition consists essentially of a water-borne resin and water;

wherein the contents of the premixed compositions are stable when mixed with each other and with the contents of the other premixed compositions of the plurality.

Claim 308. (Cancelled)

Claim 309. (Previously presented) The plurality of premixed aqueous compositions of claim 307, wherein the premixed binder composition further consists essentially of at least one additive comprising a coalescent, the additive being present in an amount of about 2% by weight, based on the total weight of the premixed binder composition.

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Claim 310. (Previously presented) A plurality of varied, but stable, premixed compositions, useful for formulating a paint product, which plurality comprises:

- (a) the plurality of premixed aqueous compositions of claim 307; and
- (b) a premixed aqueous low resin composition, at least one of the which consists essentially of:
 - (i) at least one of calcined clay, ground limestone, diatomaceous earth, and mixtures thereof,
 - (ii) at least one thickener,
 - (iii) water, and
 - (iv) optionally a resin.

Claim 311. (Canceled)

Claim 312. (Previously presented) The plurality of premixed compositions of claim 307, wherein the premixed binder composition further consists essentially of at least one additive comprising a coalescent, with the additive being present in an amount of less than about 20% by weight, based on the total weight of the binder composition.

Claim 313-326. (Canceled)

COUNT 4 (A Pigment Extender Prepaint Composition)

Claim 327. (Canceled)